

**CITIZENS' COMMISSION ON
JAIL VIOLENCE**

**EIGHTH REPORT
OF THE IMPLEMENTATION MONITOR
EXECUTIVE SUMMARY**

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EIGHTH REPORT OF THE IMPLEMENTATION MONITOR

EXECUTIVE SUMMARY

INTRODUCTION

Since I submitted my Seventh Report to the Board of Supervisors on July 10, 2013, the Sheriff's Department has continued to work with the Chief Executive's Office to finalize and/or further support its various funding requests, and the Chief Executive Officer has submitted to the Board of Supervisors his recommendations with respect to three of the requests. The Department has new management over Custody Operations and it has implemented the majority of the recommendations of the Citizens' Commission on Jail Violence. What remains is to make sure that management has the tools it needs in terms of training, supervision, investigations, discipline, risk management, and internal audits to fully reform the Department's Custody Operations.

On July 13, 2013, the Department provided the CEO with detailed support for its proposed Custody Training and Standards Bureau (Recommendations 5.2, 5.3, 5.8 and 6.3). Thereafter, on July 17, 2013, it submitted to the CEO its detailed support for additional resources for its Internal Criminal Investigations Bureau (ICIB), Advocacy Bureau, and Internal Investigations Division (Recommendations 7.1, 7.6, 7.9).

On July 22, 2013, the Chief Executive Officer submitted to the Board his Recommendations for Funding to Implement the Citizens' Commission on Jail Violence Recommendations: 6.03 Custody Training; 6.05 Supervisors; and 7.09 Risk Managers. The CEO recommended funding for 33 Custody Training Bureau positions, six Compliance Lieutenant positions, and 25 additional sergeants positions pending the

submission of the Department's final request for additional supervisors. The CEO's recommendations are under review by the Board offices.

The Department completed its proposal for 97 additional sergeants and two additional lieutenants with the additional support requested by the Consultants. (Recommendation 6.5.) The Consultants and I reviewed the proposal and approved most of the requests. I submitted the proposal and our analysis to the CEO on July 26, 2013.

Also on July 26, 2013, the Department submitted to the CEO its detailed support for additional resources for its Internal Affairs Bureau (IAB). (Recommendation 7.1, 7.5, 7.6.) On August 5, 2013, the Department submitted to the CEO its detailed support for an upgraded Data Tracking System. (Recommendation 3.8.) Finally, on August 6, 2013, it submitted its detailed support for additional supervisors. (Recommendation 6.5.) These requests, along with the requests for additional resources for ICIB, the Advocacy Bureau, and the Internal Investigations Division are under review by the CEO.

As reflected in the summary chart set forth below, the status of the Department's implementation of the Commission's recommendations is unchanged since my Seventh Report because, in large part, most of the Department's efforts were directed to providing support for its funding requests to implement the recommendations identified above. As of the date of the Eighth Report, the Department has implemented 37 of the Commission's 60 recommendations directed to the Department.¹ It has partially implemented another 11 recommendations, and it is in the process of implementing

¹ The Appendix attached to this summary reflects the implementation status of each of the recommendations as of my Second Report (January 22, 2013), my Third Report (February 12, 2013), my Fourth Report (March 12, 2013), my Fifth Report (April 9, 2013), my Sixth Report (May 14, 2013), and my Seventh Report (July 10, 2013).

another 12 recommendations. The Department has requested funding to implement fully 15 of the remaining 23 recommendations.

Category	Implemented	Partially Implemented	In progress	Total	Funding Request
Use of Force	8	1	3	12	2
Management	11	0	3	14	2
Culture	5	3	0	8	3
Personnel/ Training	5	4	1	10	3
Discipline	7	3	5	15	5
Oversight	1	0	0	1	0
Total	37	11	12	60	15

USE OF FORCE

On January 1, 2013, the Department promulgated a new Use of Force Policy (the “Force Policy”). Pursuant to the Commission’s recommendations, the Department distributed to each Deputy Sheriff and Custody Assistant a Use of Force Manual (the “Force Manual”) that includes pertinent provisions of the Department’s Manual of Policies and Procedures (the “MPP”), the Custody Division Manual, and the Court Services Manual relating to the use and reporting of force by Department personnel. On July 22, 2013, the Department published a revised Force Manual, which implements the Commission’s recommendations pertaining to the Department’s use of force policies and procedures. Department personnel are required to acknowledge that they have read and

understand the new Force Policy, and 98% of the Department's personnel have now received training in the fundamental principles of the policy.

Four of the Commission's Use of Force recommendations are either in progress or partially implemented. The Department has requested funding to upgrade its computer system (Recommendation 3.8) and for Compliance Lieutenants who will analyze inmate grievances at the unit level (Recommendation 3.10). On July 22, 2013, the CEO submitted to the Board his recommendation for funding for six Compliance Lieutenants and on August 5, 2013, the Department submitted to the CEO its detailed support for an upgraded Data Tracking System. Recommendation 3.9 to track inmate grievances in PPI by deputy name and Recommendation 3.12 for additional body scanners do not have additional funding requests.

MANAGEMENT

The Sheriff has extensively re-organized the management of the Department. With the retirement of the Undersheriff, the Department has four Assistant Sheriffs who are responsible for overseeing Custody Operations, Patrol Operations, Countywide Services, and Administration & Professional Standards. Each Assistant Sheriff reports directly to the Sheriff. Following the Commission's recommendation, the recently appointed Assistant Sheriff for Custody Operations is responsible for only the Custody Operations. She recently re-organized the Custody Operations into a Custody Services Division – General Population and a Custody Services Division – Specialized Programs under Chiefs who report directly to her. An Administrative Commander who has been responsible for the implementation of the Commission's recommendations also reports directly to her.

Most of the Commission's Management recommendations have been implemented by the Department through the re-organizations of the Department and Custody Operations. With respect to the remaining recommendations, the Department is still conducting an assessment of its facility needs (Recommendation 4.11) and its proposal for the Inspectional Service Command (Recommendation 4.12) is under review by the CEO. The Department has completed its Administrative Investigations of its high level managers (Recommendation 4.2 to hold high level managers accountable), which I will discuss in my next report.

CULTURE

The Department has continued to emphasize respect for and communications with inmates through the Force Prevention Policy, the Education Based Incarceration program, and Town Hall meetings. It has enhanced the training of new Custody personnel in the principles of the Force Prevention Policy, ethics, and destructive cliques, and it has submitted to the CEO a staffing proposal for a new Custody Training and Standards Bureau to provide additional training to current Custody Deputy Sheriffs and Custody Assistants. The Department also has established a Dual Track Career Path that provides deputies with opportunities for careers in the Custody Division and has enhanced the penalty guidelines for dishonesty to further address the culture problems identified by the Commission. Finally, each of the Unit Commanders has issued a unit directive providing for the rotation of deputies and Custody Assistants who have regular contact with inmates, taking into consideration the unique configuration and inmate population of each facility.

What remains is for the Department to enhance its training for existing staff on force prevention principles, ethics, and destructive cliques (Recommendations 5.2, 5.3, and 5.8). Although there is ad hoc training in these areas, the Department is planning to formalize the training through the Custody Training and Standards Bureau, for which it has sought funding. On July 22, 2013, the CEO recommended that the Board approve funding for 33 positions to staff this training bureau.

PERSONNEL AND TRAINING

The Department has implemented the recommendations for a Dual Track for careers in Custody, meaningful probationary periods, and rotations within facilities. With respect to the remaining recommendations, the CEO has reviewed the Department's proposals to create a Custody Training and Standards Bureau and recommended to the Board that it approve funding for 33 positions. (Recommendations 6.1, 6.3.)

Under the directions of the Assistant Sheriff for Custody, the Department has conducted a comprehensive analysis of the Custody Division staffing and supervision to determine the number of additional supervisors it needs in each of the jail facilities. (Recommendation 6.5.) The Consultants and I completed our evaluation of the Department's requests, and on July 26, 2013, I submitted the Department's requests and our analysis to the CEO. In the interim, on July 22, 2013, the CEO recommended that Board approve funding for an initial 25 additional sergeant supervisor positions.

The Department froze 81 Deputy Sheriff positions to increase the ratio of Custody Assistants to Deputy Sheriffs, and it reports that it has now achieved the agreed upon 65/35 ratio. (Recommendation 6.7.)

DISCIPLINE

The Department has agreed to revamp its investigative and disciplinary system, which will increase the number of force investigations by IAB and require that Administrative Investigations of possible misconduct not be conducted by deputies' supervisors. The Department has now submitted to the CEO detailed proposal for additional resources for IAB, ICIB, its Advocacy Unit, and its Internal Investigations Division. (Recommendations 7.1, 7.6.) The CEO has recommended to the Board approval of the Department's funding requests for six Compliance Lieutenants. (Recommendations 7.8, 7.9.)

LOOKING FORWARD

The Department has continued to work with the CEO towards implementation of the remaining recommendations that involve resource allocations and funding decisions. The Department should be able to implement the Commission's recommendations for the Custody Training and Standards Bureau by the end of the year and for the Compliance Lieutenants by the end of next month if those funding requests are approved by the Board this month. Depending upon when the Department's requests for additional IAB/ICIB resources and for additional supervisors are submitted to, and approved by, the Board, the Department may be able to implement the Commission's recommendations to revamp the investigative system and enhance supervision by the end of the year. The remaining recommendations that do not require funding should be completed by the end of the year, if not sooner.

Appendix 1

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report	8th Report
USE OF FORCE	3.1	Comprehensive and easy-to-understand Use of Force policy in single manual	Partial	NC	NC	NC	NC	Implemented	NC
	3.2	LASD personnel should be required to read and understand the new UOF policy	Implemented	NC	NC	NC	NC	NC	NC
	3.3	LASD personnel should receive training on the new UOF policy	Implemented	NC	NC	NC	NC	NC	NC
	3.4	The Use of Force policy should reflect Force Prevention and anti-retaliation policies	Implemented	NC	NC	NC	NC	NC	NC
	3.5	The Use of Force policy should be based upon objectively reasonable standard	Partial	NC	NC	NC	NC	Implemented	NC
	3.6	The Use of Force policy should reflect preference for planned, supervised, and directed force	Partial	NC	NC	NC	NC	Implemented	NC
	3.7	The Use of Force policy should account for special needs populations	Partial	NC	NC	NC	NC	Implemented	NC
	3.8	LASD should have a single, reliable and comprehensive data tracking system	Not started	NC	NC	In progress	NC	NC	NC
	3.9	Inmate grievances should be tracked in PPI by names of LASD personnel	In progress	NC	NC	NC	NC	NC	NC
	3.10	LASD should analyze inmate grievances regarding use of force incidents	Partial	NC	NC	NC	NC	NC	NC
	3.11	Use of force statistical data must be tracked and analyzed in real time by management	Implemented	NC	NC	NC	NC	NC	NC
	3.12	LASD should purchase additional body scanners	In progress	NC	NC	NC	NC	NC	NC

IMPLEMENTATION OF CCJV RECOMMENDATIONS SUMMARY

NO.		RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report	8th Report
MANAGEMENT	4.1	Personal engagement by Sheriff in oversight of jails	Implemented	NC	NC	NC	NC	NC	NC
	4.2	High level managers must be accountable for failing to address use of force problems	In progress	NC	NC	NC	NC	NC	NC
	4.3	The Undersheriff should not have any responsibility for custody or discipline	Implemented	NC	NC	NC	NC	NC	NC
	4.4	LASD should create a new Assistant Sheriff position for Custody	In progress	Implemented	NC	NC	NC	NC	NC
	4.5	The Sheriff should appoint a new Custody Assistant Sheriff with corrections experience	In progress	Implemented	NC	NC	NC	NC	NC
	4.6	The Custody Assistant Sheriff should report directly to the Sheriff	Implemented	NC	NC	NC	NC	NC	NC
	4.7	The Commander Management Task Force should not be a part of Custody management	Implemented	NC	NC	NC	NC	NC	NC
	4.8	The Sheriff must monitor the use of force in the jails	Implemented	NC	NC	NC	NC	NC	NC
	4.9	LASD should utilize the Sheriff's Critical Incident Forum (SCIF) in Custody	Implemented	NC	NC	NC	NC	NC	NC
	4.10	Senior management must be more visible in the jails	Implemented	NC	NC	NC	NC	NC	NC
	4.11	Operations support should be allocated based unique needs of each facility	In progress	NC	NC	NC	NC	NC	NC
	4.12	LASD should created an Internal Audit and Inspection Division under a single Chief	In progress	NC	NC	NC	NC	NC	NC
	4.13	LASD should have a policy regarding campaign contributions	In progress	Implemented	NC	NC	NC	NC	NC
	4.14	LASD should participate in the Large Jail Network	Implemented	NC	NC	NC	NC	NC	NC

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	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report	8th Report
CULTURE	5.1	LASD must emphasize respect for, and communications with, inmates	Implemented	NC	NC	NC	NC	NC	NC
	5.2	Force prevention policy should be stressed in Academy and Custody Division training	Partial	NC	NC	NC	NC	NC	NC
	5.3	Ethics training should be enhanced in Academy and Custody Division training	Partial	NC	NC	NC	NC	NC	NC
	5.4	Custody should be a valued and respected assignment and career	In progress	Implemented	NC	NC	NC	NC	NC
	5.5	Senior leaders must be more visible in the jails	Implemented	NC	NC	NC	NC	NC	NC
	5.6	LASD must have a zero tolerance policy for acts of dishonesty	In progress	NC	Implemented	NC	NC	NC	NC
	5.7	LASD should have a sensible rotation policy	In progress	Partial	NC	Implemented	NC	NC	NC
	5.8	LASD should discourage participation in cliques	Partial	NC	NC	NC	NC	NC	NC

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	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report	8th Report
PERSONNEL AND TRAINING	6.1	LASD should revise its policies to reflect Custody's importance to Department	In progress	Partial	NC	NC	NC	NC	NC
	6.2	LASD should develop and implement a long-range and steady hiring plan	Implemented	NC	NC	NC	NC	NC	NC
	6.3	Custody personnel should receive significantly more Custody-specific training	Partial	NC	NC	NC	NC	NC	NC
	6.4	There should be a meaningful probationary period for Custody deputies	Implemented	NC	NC	NC	NC	NC	NC
	6.5	LASD should increase the number of Custody supervisors	Not started	NC	NC	In progress	NC	NC	NC
	6.6	LASD should provide for careers in custody	In progress	Implemented	NC	NC	NC	NC	NC
	6.7	LASD should utilize more custody assistants	In progress	NC	NC	NC	Partial	NC	NC
	6.8	LASD should implement rotations within and among proximate facilities	In progress	Partial	NC	Implemented	NC	NC	NC
	6.9	LASD should change its Mission Statement to reflect importance of Custody	Implemented	NC	NC	NC	NC	NC	NC
	6.10	LASD should create a separate Custody Division	In progress	Partial	NC	NC	NC	NC	NC

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	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report	8th Report
DISCIPLINE	7.1	The investigative and disciplinary system should be revamped	In progress	NC	NC	NC	NC	NC	NC
	7.2	The CFRC should monitor force packages	Implemented	NC	NC	NC	NC	NC	NC
	7.3	Preclude deputies from reviewing videos before reporting use of force	Partial	NC	NC	NC	NC	Implemented	NC
	7.4	Separate deputies involved in significant use of force incidents	Partial	NC	NC	NC	NC	Implemented	NC
	7.5	Internal Affairs and ICIB should be enhanced and re-organized under a Chief	In progress	NC	Implemented	NC	NC	NC	NC
	7.6	IAB should be appropriately valued	In progress	Partial	NC	NC	NC	NC	NC
	7.7	There should be enhanced penalties for excessive force and dishonesty	In progress	NC	Implemented	NC	NC	NC	NC
	7.8	There should be a Risk Manager assigned to each custody facility	In progress	NC	NC	NC	NC	NC	NC
	7.9	Force investigations should not be conducted by deputies' supervisors	In progress	NC	NC	NC	NC	NC	NC
	7.10	Use of force and dishonesty charges should not be reduced or held in abeyance	In progress	NC	Partial	NC	NC	NC	NC
	7.11	LASD should vigorously investigate and discipline off-duty misconduct	Implemented	NC	NC	NC	NC	NC	NC
	7.12	LASD should have an enhanced system to track force investigations	In progress	NC	NC	Implemented	NC	NC	NC
	7.13	Inmate use of force complaints should be tracked in PPI	In progress	NC	NC	NC	NC	NC	NC
	7.14	LASD should improve the inmate grievance process	In progress	NC	NC	NC	Partial	NC	NC
	7.15	Increased use of Lapel Cameras	In progress	NC	NC	NC	NC	NC	NC

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	NO.	RECOMMENDATION	2nd Report	3rd Report	4th Report	5th Report	6th Report	7th Report	8th Report
OVERSIGHT	8.2	The Sheriff should regularly report to the Board of Supervisors	Implemented	NC	NC	NC	NC	NC	NC

IMPLEMENTATION COMPARISON

	Implemented	Partial	In progress	Not started
Second Report January 22, 2013	20	11	27	2
Third Report February 12, 2013	25	16	17	2
Fourth Report March 12, 2013	28	17	13	2
Fifth Report April 9, 2013	31	15	14	0
Sixth Report May 14, 2013	31	17	12	0
Seventh Report July 10, 2013	37	11	12	0
Eighth Report August 13, 2013	37	11	12	0